

SEC. 1306. PROHIBITION ON CERTAIN ACTIONS FOR FAILURE TO INCUR FINANCE CHARGES.

(a) PROHIBITION ON CERTAIN ACTIONS FOR FAILURE TO INCUR FINANCE CHARGES.—Section 127 of the Truth in Lending Act (15 U.S.C. 1637) is amended by adding at the end the following:

“(h) PROHIBITION ON CERTAIN ACTIONS FOR FAILURE TO INCUR FINANCE CHARGES.—A creditor of an account under an open end consumer credit plan may not terminate an account prior to its expiration date solely because the consumer has not incurred finance charges on the account. Nothing in this subsection shall prohibit a creditor from terminating an account for inactivity in 3 or more consecutive months.”.

(b) REGULATORY IMPLEMENTATION.—

(1) IN GENERAL.—The Board shall promulgate regulations implementing the requirements of section 127(h) of the Truth in Lending Act, as added by this section.

(2) EFFECTIVE DATE.—The amendment made by subsection (a) and regulations issued under paragraph (1) of this subsection shall not take effect until the later of—

(A) 12 months after the date of enactment of this Act; or

(B) 12 months after the date of publication of such final regulations by the Board.

SEC. 1307. DUAL USE DEBIT CARD.

(a) REPORT.—The Board may conduct a study of, and present to Congress a report containing its analysis of, consumer protections under existing law to limit the liability of consumers for unauthorized use of a debit card or similar access device. Such report, if submitted, shall include recommendations for legislative initiatives, if any, of the Board, based on its findings.

(b) CONSIDERATIONS.—In preparing a report under subsection (a), the Board may include—

(1) the extent to which section 909 of the Electronic Fund Transfer Act (15 U.S.C. 1693g), as in effect at the time of the report, and the implementing regulations promulgated by the Board to carry out that section provide adequate unauthorized use liability protection for consumers;

(2) the extent to which any voluntary industry rules have enhanced or may enhance the level of protection afforded consumers in connection with such unauthorized use liability; and

(3) whether amendments to the Electronic Fund Transfer Act (15 U.S.C. 1693 et seq.), or revisions to regulations promulgated by the Board to carry out that Act, are necessary to further address adequate protection for consumers concerning unauthorized use liability.

SEC. 1308. STUDY OF BANKRUPTCY IMPACT OF CREDIT EXTENDED TO DEPENDENT STUDENTS.

(a) STUDY.—

(1) IN GENERAL.—The Board shall conduct a study regarding the impact that the extension of credit described in paragraph (2) has on the rate of bankruptcy cases filed under title 11, United States Code.

(2) EXTENSION OF CREDIT.—The extension of credit described in this paragraph is the extension of credit to individuals who are—

(A) claimed as dependents for purposes of the Internal Revenue Code of 1986; and

(B) enrolled within 1 year of successfully completing all required secondary education requirements and on a full-time basis, in postsecondary educational institutions.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Board shall submit to the Senate and the House of Representatives a report summarizing the results of the study conducted under subsection (a).

SEC. 1309. CLARIFICATION OF CLEAR AND CONSPICUOUS.

(a) REGULATIONS.—Not later than 6 months after the date of enactment of this Act, the Board, in consultation with the other Federal banking agencies (as defined in section 3 of the Federal Deposit Insurance Act), the National Credit Union Administration Board, and the Federal Trade Commission, shall promulgate regulations to provide guidance regarding the meaning of the term “clear and conspicuous”, as used in subparagraphs (A), (B), and (C) of section 127(b)(11) and clauses (ii) and (iii) of section 127(c)(6)(A) of the Truth in Lending Act.

(b) EXAMPLES.—Regulations promulgated under subsection (a) shall include examples of clear and conspicuous model disclosures for the purposes of disclosures required by the provisions of the Truth in Lending Act referred to in subsection (a).

(c) STANDARDS.—In promulgating regulations under this section, the Board shall ensure that the clear and conspicuous standard required for disclosures made under the provisions of the Truth in Lending Act referred to in subsection (a) can be implemented in a manner which results in disclosures which are reasonably understandable and designed to call attention to the nature and significance of the information in the notice.

SEC. 1310. ENFORCEMENT OF CERTAIN FOREIGN JUDGMENTS BARRED.

(a) IN GENERAL.—Notwithstanding any other provision of law or contract, a court within the United States shall not recognize or enforce any judgment rendered in a foreign court if, by clear and convincing evidence, the court in which recognition or enforcement of the judgment is sought determines that the judgment gives effect to any purported right or interest derived, directly or indirectly, from any fraudulent misrepresentation or fraudulent omission that occurred in the United States during the period beginning on January 1, 1975, and ending on December 31, 1993.

(b) EXCEPTION.—Subsection (a) shall not prevent recognition or enforcement of a judgment rendered in a foreign court if the foreign tribunal rendering judgment giving effect to the right or interest concerned determines that no fraudulent misrepresentation or fraudulent omission described in subsection (a) occurred.

TITLE XIV—GENERAL EFFECTIVE DATE; APPLICATION OF AMENDMENTS**SEC. 1401. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.**

(a) EFFECTIVE DATE.—Except as otherwise provided in this Act, this Act and the amendments made by this Act shall take effect 180 days after the date of enactment of this Act.

(b) APPLICATION OF AMENDMENTS.—Except as otherwise provided in this Act, the amendments made by this Act shall not apply with respect to cases commenced under title 11, United States Code, before the effective date of this Act.

READING OF WASHINGTON'S FAREWELL ADDRESS

Mr. SESSIONS. Notwithstanding the resolution of the Senate of January 24, 1901, I ask unanimous consent that the Senate convene at 12 noon Monday, February 26, 2001; that immediately following the prayer, the disposition of the Journal, and the Pledge of Allegiance to the Flag, the traditional reading of Washington's Farewell Address take place, and that the Chair be authorized to appoint a Senator to perform this task.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISCHARGE AND REFERRAL—S. 21

Mr. SESSIONS. Mr. President, I ask unanimous consent that S. 21 be discharged from the Committee on Finance and be referred to the Committees on the Budget and Governmental Affairs per the order of August 4, 1977.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to the order of the Senate of January 24, 1901, as modified by the order of January 30, 2001, appoints the Senator from Virginia (Mr. ALLEN) to read Washington's Farewell Address on February 26, 2001.

The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276d-276g, as amended, appoints the Senator from Washington (Mrs. MURRAY) as Co-Chair of the Senate Delegation to the Canada-U.S. Interparliamentary Group conference during the 107th Congress.

The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276h-276k, as amended, appoints the Senator from Connecticut (Mr. DODD) as Co-Chairman of the Senate Delegation to the Mexico-U.S. Interparliamentary Group conference during the 107th Congress.

The Chair, on behalf of the Vice President, in accordance with 22 U.S.C. 1928a-1928d, as amended, appoints the Senator from Delaware (Mr. BIDEN) as Co-Chairman of the Senate Delegation to the North Atlantic Assembly during the 107th Congress.

CONGRATULATING THE BALTIMORE RAVENS FOR WINNING SUPER BOWL XXXV

Mr. SESSIONS. I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 15, submitted earlier today by Senators SARBANES and MIKULSKI.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 15) congratulating the Baltimore Ravens for winning Super Bowl XXXV.

There being no objection, the Senate proceeded to consider the resolution.

Ms. MIKULSKI. I stand to honor the Baltimore Ravens who soared over the Super Bowl winning 34-7.

I also want to honor the city of Baltimore. Baltimore has often been overlooked and under valued.

Baltimore is the comeback city: the crime rate is dropping; test scores are rising; we are building a digital harbor; and now we are the Super Bowl champs for the first time since 1971.

We want the world to get to know Baltimore as a dynamic city, a city of communities—that's unified around our values, our patriotism, and our Ravens, a city with a great football heritage—and a great football future.

I congratulate the Baltimore fans, loyal and with high energy. They spent 11 years without any team at all after our Colts snuck out of town. We now have the Ravens—and we're the Super Bowl champs. We deserved this win.

I congratulate owner Art Modell, who won his first Super Bowl in 40 years of owning the team; head coach Brian Billick, who won after only 2 years as a head coach; Ray Lewis, named most valuable player; the Ravens defense, one of the best defensive teams ever, making records and Super Bowl history, allowing just 165 points in the 16-game regular season, and had caught four interceptions during the Super Bowl.

The Ravens' offense and special teams scored big. Quarterback, Trent Dilfer threw the first touchdown pass of the game and had no interceptions; Brandon Stokely caught a 38-yard touchdown pass; Jermaine Lewis, a Maryland native and former Maryland Terrapin, returned an 84-yard kick-off to put the game out of reach.

The resolution we are passing today commends the loyalty, community spirit and enthusiasm of the Baltimore fans, applauds the Baltimore Ravens for their high standards of character, perseverance, professionalism, excellence and teamwork, praises the Ravens for their community service, congratulates the Ravens and the New York Giants for a hard-fought, sportsmanlike Super Bowl, congratulates the Ravens and their fans for the Super Bowl victory, and recognizes the achievements of the players, coaches and support staff who made this win possible.

We have been celebrating since Sunday night.

Today we had a parade through Baltimore.

We gave the Ravens the key to our city; they already have the key to our hearts.

I just watched as our colleagues from New York made good on their bet and recited Edgar Allen Poe's "The Raven."

We want our colleagues to share in our excitement for our Ravens and for our city.

Mr. SESSIONS. I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 15) was agreed to.

The preamble was agreed to.
(The resolution is located in today's RECORD under "Senate Resolutions.")

ORDERS FOR WEDNESDAY, JANUARY 31, 2001

Mr. SESSIONS. On behalf of the majority leader, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 10 a.m. on Wednesday, January 31. I further ask consent that on Wednesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period of morning business until 10:30 a.m. with Senators speaking for up to 5 minutes each, with the following exceptions: Senator BROWBACK or his designee, 10 to 10:15 a.m.; Senator DURBIN or his designee, 10:15 to 10:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. On behalf of the majority leader, I further ask that following morning business the Senate proceed to executive session to begin consideration of the Ashcroft nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. SESSIONS. Tomorrow the Senate will be in a period of morning business from 10 a.m. to 10:30 a.m. Following morning business, the Senate will resume consideration of Senator Ashcroft's nomination to be Attorney General of the United States. Under the order, debate will occur throughout the day. It is hoped that we can schedule Senators in an alternating manner throughout the day.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. SESSIONS. If there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:14 p.m., adjourned until Wednesday, January 31, 2001, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 30, 2001:

DEPARTMENT OF THE INTERIOR

GALE ANN NORTON, OF COLORADO, TO BE SECRETARY OF THE INTERIOR.

ENVIRONMENTAL PROTECTION AGENCY

CHRISTINE TODD WHITMAN, OF NEW JERSEY, TO BE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.